

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BARRY STEWART	:	CIVIL ACTION
	:	
v.	:	No. 12-5190
	:	
C.O. STACEY RYBAK, et al.	:	

**ORDER**

AND NOW, this 6th day of November, 2014, for the reasons set forth in the accompanying Memorandum, it is ORDERED:

- Defendants' Motion for Summary Judgment (Document 31) is GRANTED. Judgment is entered in favor of Defendants Stacy Rybak and Towanda Lewis on Counts I, II, and IV of Plaintiff Barry Stewart's Amended Complaint.
- Plaintiff having failed to identify the additional John and Jane Doe Defendants named in the Amended Complaint after a reasonable period of discovery, those Defendants are DISMISSED from this action pursuant to Federal Rule of Civil Procedure 21. Counts I, III, and IV of the Amended Complaint are therefore DISMISSED as to these Defendants.
- Stewart's Motion to Amend Complaint (Document 38) is GRANTED. Stewart shall have until November 17, 2014, to file a revised Second Amended Complaint advancing a claim for failure to protect against the City of Philadelphia based on the staffing policies at the Philadelphia Detention Center.
- A telephone conference shall be held on November 20, 2014, at 3:00 p.m. to discuss the schedule going forward in this case. Defense counsel shall initiate the call to chambers at 267-299-7780.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, J.